



TOWN OF ACUSHNET
MASSACHUSETTS

OFFICE OF THE PLANNING BOARD
122 MAIN ST.
ACUSHNET, MA 02743
<http://www.acushnet.ma.us>
FAX: (508)998-0203

Handwritten signatures and initials in the top right corner.

Acushnet Planning Commission
Regular Meeting
and
Continuation of Public Hearing Special Permit Common Drive -
148 Peckham Road - Arruda
and
Continuation Form B - Moniz Estates - Dan Moniz
February 15, 2018

Open: 6:35 pm
Adjourn: 8:05 pm

Present: Marc Cenerizio, Chairman
Rick Ellis
Phil Mello
Bryan Deschamps

Henry Young, Planner

Absent: Mark DeSilva, Sr.

Issue: Motion to open meeting was made.
So moved: P. Mello
Second: R. Ellis
Vote was 4 for, 1 absent.

Issue: Announcement stating meeting is being audio and videotaped.

Issue: Motion to accept minutes of both January 15, 2018 and February 1, 2018 was made.
So moved: B. Deschamps
Second: P. Mello
Vote was 4 for, 1 absent.

All minutes are on file at the Planning Office, 130 Main Street, Parting Ways, 2nd floor.

Issue: Vouchers were signed, and are on file in the Planning Office and at the Treasurer's office at Town Hall.

Issue: Mail was reviewed, and is attached to these minutes.

Issue: Memo from Town Administrator Brian Noble regarding Spring Town Meeting on May 4, 2018, with warrant articles due by February 28, 2018 at noon. After discussion, a motion is made to ask Henry Young to work with B. Noble and other Department Heads on the zoning for recreational marijuana and other matters.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4 for, 1 absent.

Issue: Ongoing legal issue: Motion to "Continue and Enlarge the Time to File Response to Summons"

KP Law filed with LAnd Court to extend the deadline for response to March 26.

Mr. Young notes that we have repeatedly asked for legal counsel but have been denied by Town Administrator Noble. Our next step is to formally request of the Board of Selectmen funding for legal representation in defense of the lawsuit filed against us by the Board of Selectmen.

Issue: Department of Transportation Pamphlet regarding hearings on Southcoast Rail

Issue: This is not a public hearing: off of Blaise Drive - Moniz - SITEC

Jeff Tallman, SITEC representing Dan Moniz

Mr. Young speaks: He facilitated a meeting with Town Department Heads (Merilee Kelly, Dan Menard, Joe Correia, Jim Marot, Brian Noble and Chief Gallagher) to review the plans for this proposed subdivision. Some results were:

- it comes off Blaise Drive, not an accepted street
- they have been working with Natural Heritage, but have not filed and no plan is approved there
- the length of road is stated to be 1700 ft.; we need to know the distance from Hathaway Road (allowable maximum is 2500 ft if you have water)
- Chief Gallagher stated that they would need at least 4 hydrants
- they would need to compensate for recharge of groundwater
- the Board of Health would like dry basins, and want them to replicate the dry basin design of the project in Deep Brook Estates
- they noted no waivers had been requested
- it was recommended that they need to meet with the Board of Selectmen and the Department of Public Works to determine flow pressure: both DRW rep and our peer review engineer need to be present for the testing
- an escrow account would need to be posted to pay for engineering fees and reviews
- need test pits in the location of the detention ponds

- need to evaluate and do perc tests for on-site septic systems
- Lot 2 does not appear to meet the minimum 45,000 square foot requirement for upland (would require a waiver from ZBOA)
- Lots 9 & 10 do not have minimum lot width
- the Board of Health reported that on the existing homes Mr. Moniz failed to install dry wells as required by the definitive plan - they must be replicated to handle run-off

Mr. Ellis points out that the grade at the curve is problematic. He requests that Dan Menard review it. He also asks if there is a hydrant at the end of Blaise Drive. They believe so. He also asks what the water pressure on Blaise Drive is now. They do not know.

Mr. Ellis states that a 12 foot rise plus two story houses will cause you to lose a few psi's. We do not need to create water pressure problems for these proposed houses and the ones on Blaise Drive.

Ms. Kelly, the Conservation agent, asks where on the plan is the open space? Sitec's Tallman responds that the open space is that 1/4 to 1/3 of the bog remains open space. He says that any disturbance will have to be replicated. They are not imposing any restrictions on lots for homeowners.

Mr. Young states they need to get into a discussion with the DPW about maintenance of the detention ponds.

Mr. Ellis asks that they please put the lines in to show bogs, wetlands and replication. He also asks if Natural Heritage considers the bog that was started but never finished prime habitat also? Mr. Tallman says that Natural Heritage does not look at it like that. Mr. Ellis then asks how long a process is the mitigation plan with Natural Heritage? Mr. Tallman replies that they will work with them and with Planning. Mr. Ellis states he wants to see the Natural Heritage conceptual plan at next meeting.

Blaise Drive needs to be accepted. Mr. Tallman responds that they intend to work it all as one project (Blaise Drive and Moniz Estates).

Mr. Young states that from a construction point of view a new subdivision combined with a recorded incomplete subdivision (an unaccepted road) may make sense, but it may not conform to legal requirements. The issue will have to be resolved before you present the definitive plan. The road needs to be accepted by Town before a new one can come off of it.

Mr. Ellis recommends speaking to the Town Administrator to resolve the issue of the road. He further states that the process of identifying the issues needed to proceed with a definitive plan seems to be complete. He makes a motion to

approve the preliminary Form B for Moniz Estates because they now know what issues need to be worked out.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

All Form B's are on file in the Planning office, 130 Main Street, Parting Ways, 2nd floor.

Issue: Continuation - Special Permit - Common Drive - 148 Peckham Road - Arruda - Romanelli - Bissonette

Motion is made to open this continuation.

So moved: B. Deschamps

Second: P. Mello

Vote was 4 for, 1 absent.

Mr. Romanelli of Romanelli Associates Inc. states that Mr. Bissonette, consulting engineer, had a conflict with tonight's meeting. The project went to Conservation Commission last Tuesday night. They discussed the proposed septic plans and four crossings. What ComCon wants to see is the wetlands crossing, the replication area, control of runoff, erosion control and the gravel road.

Mr. Ellis asks Ms. Kelly, Conservation agent, if ComCon is comfortable with this? She replies "It is continued".

At this point Mr. Romanelli asks for a continuance to March 1st. A motion is made to continue this public hearing to March 1, 2018 at 7:15 pm.

So moved: P. Mello

Second: B. Deschamps

Vote was 4 for, 1 absent.

This project is available for scrutiny at the Town Clerk's office at Town Hall.

Issue: Form A - Labonte Street and Pembroke Street - Ben Reis - Romanelli

After meeting with the Board of Selectmen, Mr. Reis is trying to determine if the project is cost effective, as he was asked to provide underground utilities, sidewalks and make significant changes to the 20 foot gravel road.

Issue: Bartlett Street - Norm Nichols - Romanelli

Mr. Nichols is responding to the Department Heads meeting 16 concerns.

Mr. Young distills the issues from the December 19, 2017 meeting with the Department Heads.

- in the opinion of a few, the access through New Bedford should be worked out with the City before proceeding in Acushnet
- the buildings were within 100 feet of ponds or perennial streams and would need ConCom approval determination that would significantly change the layout
- there are environmental regulations that must be complied with
- there would have to be a water main extension, so we recommend going before Board of Selectmen in their capacity as water commissioners
- sewer would have to be extended into Acushnet and onto this lot; presently this is not available until the Comprehensive Waste Management Plan (CWMP) is completed
- there would be wetlands replication
- the Board of Health would like to see plans for handling solid waste and parking
- other issues needing to be addressed: traffic, police and fire access and hydrants
- the group felt that New Bedford access would need to be dealt with first, and that the site impact on the wetlands makes it not feasible as it is

Mr. Nichols stated that he will work with New Bedford first. New Bedford has said they will provide water and sewer to the subdivision. By the next time he comes before Planning, the road will be in to the Acushnet line.

Mr. Ellis brings up that New Bedford has a deep sewer line in place there. He asks if we need a conceptual waste water management plan before he ties into the New Bedford line? Mr. Young responds that that would be a determination of the DPW.

Mr. Ellis asks if the wastewater facilities plan is underway now. Did they set up committees? Where is the \$350,000 going?

After discussion, a motion is made to send Rick Ellis to sit on the committee.

So moved: P. Mello

Second: B. Deschamps

Vote was 4 for, 1 absent.

Mr. Ellis agrees he would participate.

Mr. Young highly recommends Mr. Nichols produce an engineered plan after spending time with Mr. Marot of the Building Department and Mr. Menard of the DPW.

Mr. Ellis adds that if it is individual dwellings they need to comply with frontage and area requirements.

Mr. Nichols states that perhaps they need to go 40B then site plan review.

Mr. Cenerizio states that it is up to the applicant which way to go, but he could get New Bedford straight and then go to the ZBOA for a comprehensive permit.

Issue: Ancient Way Determination - Morses Lane - Cianno - Gioiosa, SITEC - Atty. Markey

After submission by the applicant and his attorney and engineer, KP Law's Jon Eichmann says they have successfully made a case for ancient way in a legal sense. Now they must have proper width, grade, drainage and construction and meet the standards for a retreat lot.

After discussion, it is agreed that the Board should do a walkabout on Saturday, February 24, 2018 at 9:00 am at the end of Morses Lane. They are requesting that Steve Gioiosa from SITEC be there to explain the project.

Issue: Motion to adjourn is made at 8:05 pm.
So moved: P. Mello
Second: B. Deschamps
Vote was 4 for, 1 absent.

Respectfully submitted,
Donna M. Ellis